

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GRAMMAR INDUSTRIES, INC.,

Plaintiff,

No. 15-12694

v.

District Judge Paul D. Borman
Magistrate Judge R. Steven Whalen

BEACH MOLD AND TOOL, INC.,
ET AL.,

Defendants.

ORDER

Before the Court is Plaintiff Grammar Industries, Inc.’s Motion for Order Permitting Alternative Service and for Leave to Amend Complaint [Doc. #62]. Plaintiff, as well as Defendants Beach Mold and Tool, Inc. and American Industrial Acquisition Corporation (“AIAC”), d/b/a iP3 Plastics Mexico, appeared for oral argument, through counsel, on November 22, 2016, and while the parties had some differences with regard to the the factual and procedural underpinnings of this case, there was no disagreement as to the relief requested in this motion. Moreover, this Court is persuaded that given the alleged sale of the assets of presently unserved Defendant BeachMold Mexico, S. de R.L. de C.V. (“BeachMold Mexico”), permitting Plaintiff to file a third amended complaint is appropriate. In addition, alternative service of BeachMold Mexico upon Defendant AIAC is reasonably calculated to give BeachMold Mexico actual notice.

Accordingly, Plaintiff’s motion [Doc. #62] is GRANTED. Plaintiff will file its third amended complaint within 14 days of the date of this Order.

Plaintiff’s request for alternative service is GRANTED. Plaintiff may serve

BeachMold Mexico by effecting service on Defendant AIAC. This service is without prejudice to BeachMold Mexico's right to challenge personal jurisdiction.

IT IS SO ORDERED.

s/ R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: November 28, 2016

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on November 28, 2016, electronically and/or by U.S. mail.

s/Carolyn M. Ciesla
Case Manager to the
Honorable R. Steven Whalen